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AN ADDRESS TO THE BISHOPS,

ON THE

DANGER TO BE APPREHENDED

TO OUR

ECCLESIASTICAL ESTABLISHMENTS

FROM THE

CONDUCT AND BAD EXAMPLE

OF SOME OF THE

NON-RESIDENT PAROCHIAL CLERGY.

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TRAVELS THROUGH SWITZERLAND, ITALY, SICILY, THE GREEK ISLANDS, TO CONSTANTINOPLE, &c. &c.

By **THOMAS WATKINS, A. M. F. R. S.**

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L E T T E R

G. Britain ^{TO THE} *R*
NEW PARLIAMENT;

WITH
H I N T S

OF
SOME REGULATIONS
WHICH THE NATION HOPES
AND EXPECTS FROM THEM.

L O N D O N:
PRINTED FOR JOHN, FRANCIS, AND
CHARLES RIVINGTON, at N^o 62,
ST. PAUL'S CHURCH-YARD.

MDCCCLXXX.

LETTER

TO THE

NEW PARLIAMENT;



IN

OF

SOME REGULATIONS

WHICH THE NATION HOPES

AND EXPECTS FROM THEM

LONDON:

Printed for JOHN FRANKLIN, and
CHARLES RIVINGTON, at No. 62,
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John Bates

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24: Dec: 1780

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L E T T E R

TO THE

NEW PARLIAMENT.

My LORDS and GENTLEMEN,

YOU are called at a very important crisis to a very important trust.

We are become a most degenerate and wicked people. The judgments of God are hanging over the nation ; and it is your duty seriously to consider how they may be prevented and averted. It is not talking and haranguing, but setting to work in earnest, that will ever produce any good. The church and the state, religion and morality, law and liberty,

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liberty, all look up to you, as their guardians and protectors.

I. The first subject that naturally offers itself to consideration is that of the late riots in London. Such a scene was never before exhibited in this country, nor I believe in any other; and the nation has an entire confidence in your wisdom, that you will take some effectual measures to prevent any return of the like dreadful calamities. The laws relating to riots were little understood, till they were explained upon this occasion with great ability by Lord Mansfield. But they should be made so plain, that there can be no doubt about them; and they should also be strengthened and enforced by new laws and penalties, or things will daily grow worse and worse, and we shall fall a prey to a licentious and unruly mob. If the Parliament will not interpose, the mob will assuredly govern. The evil spirit

spirit is got among them, and you only can lay it, and you must lay it, or will yourselves be the first sufferers.

II. Another evil, that requires an immediate remedy, is growing apace by the means of associations and committees of correspondence in different counties. These under the pretence of preserving are really undermining our happy constitution, by setting up a new unauthorized *fourth* estate to overawe and overrule the *three* old established estates of the realm, King Lords and Commons. Such as these were the beginnings of the civil commotions in the last century, but with this difference, that then the parliament and people were against the king, whereas now the people are against both king and parliament. The cause being so much worse, we cannot look for any better effects than they experienced at that time, anarchy and confusion in the

beginning, and in the end a military government and tyrannical usurpation, till the people wearied with continual changes, and oppressed beyond all patience, were happy at any rate to return to their old constitution. Both Houses of Parliament in Ireland have set a most laudable example by their spirited resolutions against such factious combinations, which it is to be hoped will be followed here in England, and carried into execution. The people cannot now complain of a corrupt parliament, for they have just made choice of their own representatives. If the parliament is corrupt, the whole nation is corrupt, and the associators as corrupt and as much under undue influence as any others. The old Barons were unwilling to have the laws of England changed, *Nolumus leges Angliæ mutari*; but these men are for changing both the laws and the law-givers, and erect their own tribunal over all. Assent there-

therefore your dignity, maintain your authority, enforce the execution of old laws, and enact new laws for new occasions. Without your exertions there will be an utter end of all law and of all government. All such associations should be suppressed and strictly forbidden in future, and all such committee men should be punished as traitors to their king and country, and enemies to the best constitution of government in the whole world.

III. It is the undoubted right of British subjects to petition the King and either House of Parliament, but surely this liberty has been carried too far in several instances of late years. Some regulations should be made both as to the matter of the petitions, and as to the manner of presenting them. For how often have the Corporation of London, for instance, presented petitions
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about matters, whereof they were by no means competent judges and wherein they had little or no concern? Nay, after acts have passed both Houses, have they not still petitioned against them, as if it was wise or prudent in His Majesty to pay greater attention to the Common Council of London than to the Great Council of the nation assembled in Parliament? Petitions should also be presented as petitions, and not be carried up by such numbers, as if they meant to obtain them by force and violence. The freedom of debate is not to be impeded or incroached upon by *sturdy beggars*. If I mistake not, the number of petitioners is already by law limited to *twelve*, and if they exceed that number, as they have of late by hundreds and by thousands, all such petitions should for that very reason, if for nothing else, be rejected. Much more should they be rejected, when the persons, who present
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and support them, threaten recourse to arms; and whoever they are who hold such language, they should be confined and prosecuted as the stirrers up of rebellion.

IV. With regard to the Papists it was for the reason just mentioned and other good reasons, that the late act made for their relief was not repealed at the clamors of a riotous multitude; but though it would have been improper to give way at that time, yet it may be prudent to resume the subject, and to lay some foundation for our future peace and security. In my humble opinion no better course can be taken, than to desire my Lords the Bishops to reduce all the different acts relating to popery into one single bill. They may be presumed to be the best judges in these matters, but however some hints may not improperly be suggested for their
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consideration. I take it for granted that they and all good christians are for allowing an universal toleration to the different sects of religion, as far as it may consist with the safety of the state : and therefore that the papists are to be allowed the free exercise of their religion upon certain conditions ; all papists to take the oaths prescribed in the late act, and to give good security to government for their peaceable behaviour ; all their places of public worship to be licensed and registered, and none others to be suffered ; their priests to wear no kind of disguise, but to be distinguished by their habit ; their priests also to be licensed and registered, and none others to dare to officiate ; all their rites and ceremonies to be performed within doors, no processions, no carrying of the host in the streets ; all schools and seminaries for the education of their children to be licensed and registered, and

and none others allowed; their teachers likewise, whether male or female, to be licensed or registered, and none else to presume to teach; no papists to send their children abroad for education; no protestants to send their children for education to any popish school or academy; no papists to proselyte or endeavor to proselyte any protestant, content to enjoy their own religion and not to molest others; all livings in the patronage of papists, not to be consigned over to others, but without reserve to be disposed of by the two universities; these licenses to be granted by the justices at their quarter sessions, and a certain sum to be paid for each licence; these registers to be faithfully kept by the justices, ready to be produced and laid before the King and Council, and Parliament as often as they shall be required, and for the inspection of any person paying a small fee; all these arti-

cles and conditions to be strictly observed, and the least violation of any of them to be subjected to such penalties, as to the wisdom of Parliament may seem expedient, and sufficiently enforce due obedience to these and other additional articles, which may be thought for the good and safety of the nation,

V. With regard to the Dissenters, I speak not of all but of many, and am sorry to say but the truth compels me, that they are no less enemies to the constitution in church and state than the Papists themselves. Nay, it may be questioned whether the danger is not greater at present arising from the Dissenters than from the Papists. The number of the Papists too appears to be decreasing, but that of the Dissenters and Republicans is rather increasing; at least they show themselves more, and more openly avow their principles. The Pa-
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pists are no declared enemies to royalty and nobility, but the Dissenters are for leveling all degrees, and have laid the crown and nobility all in the dust. When Jacobitism subsisted, the Papists were for changing the family that governed, but the Dissenters are for subverting the whole form and order of government. Since Jacobitism became in a manner extinct, the Papists have generally behaved as quiet and peaceable subjects; they have not raised such disturbances and opposition to government as the Dissenters have. The Papists would change the religion of the country, but the Dissenters both the religion and government, the civil as well as ecclesiastical polity. No Papists have taught and propagated more pernicious political doctrines than some favorite authors among the Dissenters, who would reduce all ranks and orders to an equality, would constitute every man his own

legislator and governor, and transform a civilized nation into worse than Hottentots and Savages, without any law or government whatever. The Dissenters nearly resemble the Papists in their very worst features, intolerance and persecution of all others of different persuasions: but the spirit seems to be growing every where milder among the Papists, here it is grown fiercer and more furious among the Dissenters, as appears from the violent insurrections and horrid devastations committed last year in Scotland, and this year in England. But though they deny liberty of conscience to others, they expect it to be conceded to themselves; and let it be conceded, but it should be upon such terms and conditions as to the Papists. Some restrictions and limitations of this kind are every day growing more and more necessary, no proper tests having yet been required or given, and that forbearance

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and indulgence much abused, liberty turned into licentiousness, and religion into faction. Wherefore before they obtain their licences from the magistrates, they should deliver in a summary of their doctrines, and also declare by what name they would be distinguished, for there are so many hydra heads among them, that it is not easy to know what religion they are of, or whether of any; whereas the Papists are much more uniform, and better agree in one and the same faith, in one and the same profession. As the Papists, in order to obtain the privileges granted by the late act, are obliged publicly in court to renounce and abjure some of their religious and political principles; so the Dissenters should in like manner be required to make a public and solemn renunciation and abjuration of their republican leveling principles. For being as much enemies to the state as the others, they should

should equally be bound to take oaths, and to give good and sufficient securities to government for their orderly and peaceable behaviour, their obedience to the laws, and submission to the powers lawfully established.

VI. Another thing particularly incumbent upon you, Gentlemen of the House of Commons, is to take into consideration the qualifications of the members. The qualifications are rated too low for the present times; and yet low as they are, how many evade and fall short even of these qualifications? An attempt was made in the last session of the last parliament to raise them; the public highly approved it, and were much disappointed that so reasonable a design did not succeed. The qualifications should not only be raised, but as I think it was proposed in the said bill, they should also be clearly proved and ascer-

ascertained at the beginning of every session without subterfuge and evasion. Something of the same kind should now be resumed for the better support of the weight and importance, of the honor and dignity of the House, which have sunk in general estimation, and are sinking lower every day for want of some such regulations. There have been times when Members have been returned, not only for boroughs, but for cities, and even for counties, who were men of desperate fortunes, and owed more thousands, than they were able to pay : And how was it possible for such men to be properly qualified ? and with what face could they swear to their qualifications ? and if Members swear falsely at first setting out, what trust or confidence can be placed in them afterwards ? It would likewise add to the dignity and importance of the city of London, if every Alderman and Common - Councilman was obliged to have

have such or such a qualification, without which he could not be chosen or continue in the corporation. The honors and offices of the city would not then have fallen into such disgrace, as to be occupied by so many low tradesmen and bankrupts, and to be refused by so many wealthy merchants, choosing to pay a considerable fine rather than engage in such services with such company. It is commonly said that Ministers of state are against making any such regulations, it better suiting their purpose to keep people poor in order to keep them dependent. But these are narrow paltry politics far below any wise or good Minister. At this present time some of the most necessitous persons in the kingdom are the most clamorous in opposition: and generally they are the most troublesome, whether in place or out of place, in this case continually opposing, and

and in that continually craving to have their exigencies supplied.

VIII. Some consideration should also be had of the qualifications of the electors as well as of the elected; and these perhaps should be raised as well as the others. For when forty shillings a year was the sum fixed for the qualification of a freeholder, money was then of much higher valuation than now; and should not that sum therefore receive an augmentation agreeable to the present standard? But it is urged, that we have by no means a just and equal representation, that taxation follows representation, that none ought to be taxed who are not represented, and consequently that every man is intitled to a vote, every man contributing one way or other to the payment of taxes and to the support of government. But by the same rule women should have votes as well as men; and what a dread-

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ful scene of riot and confusion would be here? and how could such elections, if they were possible, be made practicable? The Romans soon found the inconvenience of such popular assemblies, and therefore Servius Tullius, one of the best and wisest of their kings, divided the tribes into centuries, by which means the people were distinguished into higher and lower classes according to their condition and circumstances, and the higher obtained the greater number of votes, and prevailed over the lower by their wealth and importance. Your wisdom should adopt some similar plan for the benefit of this country. For if it is not a just and equal representation, because all are not represented; neither is it a just and equal representation, when a man of 40s. a year, and another of 400 l. a year, and a third of 4000 l. a year, are all upon the same footing, and have each only a single vote. The greater the property,
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the greater in proportion should be the number of votes. It cannot be fitting or proper, that the needy and necessitous should enjoy the same privileges and prerogatives as the rich and opulent. Men are usually governed by their interest, and who are the most deeply interested in the peace and welfare of their country, who are the most likely to promote, and who to disturb it, gentlemen of considerable estates and property, or low vulgar people, who have little or nothing to lose, and may gain something by the general wreck and ruin? The poorest boroughs are always the most corrupt and venal; and generally speaking, the more numerous the electors, the worse the election, as it might be proved in several instances. In all societies there are and must be different ranks and orders of men, and if high and low rich and poor were all to be put upon the same level, no society could subsist. The

power and influence of the populace have increased, and are increasing, and ought to be diminished rather than enlarged.

VIII. It is wisely ordered by our laws, that soldiers should be removed from the places where they are quartered during the time of holding elections there, that they may be free and open and carried on without disturbance or interruption. But is there not the same or a greater necessity for removing the mobility to a distance at such times from such places? For instances are much more numerous of the mobility's than of the soldiery's interfering and influencing elections. A general election never passes without some riots and tumults. The candidates themselves have often been insulted and ill-treated. Their friends in going to vote have run the hazard of their lives. There have been broken heads and broken bones

bones without number, and sometimes murder committed. And where the rioters have not proceeded to these outrages, yet many persons have been hindered and deterred from voting by the vast crouds assembled, by the groans and hisses and exclamations of the opposite party; and by these means the most unworthy candidates have frequently been returned. Doth it not therefore become the wisdom and the justice of Parliament to promote a remedy for these evils, and to secure the peace and freedom of elections, by enacting a law that only voters shall have access to the hustings or place of election, that the mobility shall be removed to a certain distance, and if any of them approach nearer, they shall be taken up as vagrants, be committed to the house of correction, and suffer a severe flogging. If either of the candidates should call in and encourage a mob, let his election be made void, and himself be rendered incapable

capable of ever being chosen again. Your wisdom may propose better remedies, but some provisions of this sort should be made, or those who have no votes will in effect become our electors. Good men are of themselves too indolent and inactive, and if added to their natural love of ease, difficulties and discouragements are thrown in their way, wickedness that seizes all advantages will be sure to prevail and prosper.

IX. How the supplies are to be raised for the next and the following years, and what funds are to be provided for the payment of interest, are matters which so far surpass my comprehension, that I may express myself improperly with relation to them. It would perhaps be the most prudent method to raise the supplies of the year within the year, by a poll-tax according to mens rank and value, and thereby to stop the farther increase of the national

national debt, and prevent an universal bankruptcy. All ranks of men can find money for their private pleasures, let them raise it to supply the public necessities, and to save themselves and their country. One thing there is which, it is to be hoped, will not make a part of ways and means; and that is, depriving the Members of the privilege of franking. Some time ago you offered up some of your privileges at the shrine of justice, but you should be cautious how you proceed farther in the sum of subtraction. The men of these times are too much actuated by a leveling principle. You should rather oppose the spirit than comply with it. You should be careful to keep up and maintain your honorable distinctions, and by no means descend from your dignity, and reduce yourselves to the common level. And yet, I think, the liberty of franking is still too much abused, and should be confined and limited

to the persons of Peers and Members. It should be allowed upon honor to their own individual use, and no way employed for the benefit of others. They should direct only such letters as are of their own writing or signing, and should receive such only as are addressed immediately to themselves, without fraud and evasion. All others under their covers should be charged as double letters. If their honor will not restrain them, and there is reason to suspect fraudulent practices, a discovery may easily be made at the post-office. By these means a considerable addition would be made to the public revenue, and a proper distinction would be preserved between different orders.

X. All theatres, and houses, and gardens, and places of public entertainment, whether in town or country, in summer or winter, by day or night, are certainly
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proper subjects for taxation. In former times their number was inconsiderable, but of late years they have multiplied to such a degree, that they may fitly be made to contribute to the support of government. But the taxes should not be such as amount to a prohibition, for people must have their diversions, or their minds will grow sour and splenetic and ill affected. If some other places were rated in such a manner as amounted almost to a prohibition, I conceive that more good than bad consequences would ensue; I mean *the schools of oratory*, which are advertised in the public papers for the discussion of such and such subjects every evening. Men assemble and harangue and argue in imitation of the debates in Parliament. Women also laying aside the natural modesty of the sex hold forth among them. It is easy to guess what kind of women they are; and all whether men or women, who take such delight

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in exposing themselves, should be made to pay dearly for it. It would have a good effect either way, by curing them of their fooleries, or by turning them to the benefit of the public. No better fruits can possibly grow from such meetings than nonsense and folly, the love of prating and disputation, vanity and self-conceit, arrogance and impudence, turbulence and faction. But there are still worse evils, *the promenades* and conversations and disputations at Carlisle-House and other public rooms on Sunday evenings, so contrary to the law and custom of our country, and so very offensive to all religious good christians. The reasonable service of the church is neglected in the day, and money is paid for admission into these places in the evening. I have heard that application was made to Sir John Fielding to suppress these meetings, and he said that there was indeed an express law against them made in the reign

reign of Charles the II^d. ; but as it had never yet been carried, he was afraid to carry it into execution. As it had never been carried into execution, we may conclude that there was never the like occasion for it. If therefore you have any love and regard for God and religion, strengthen the hands of justice, and under severe penalties totally prohibit such impious meetings. Men who have it in their power to suppress evils, and do it not, may be said in some measure to encourage them.

XI. No juster or fairer improvement could be made of the public revenue than by an equal land tax. The great argument urged against it is, that in some distant counties they bought their estates at a higher price in consideration of the lowness of the land tax, and to raise theirs equal to the rest would be a manifest hardship and injustice to such purchasers.

chasers. It is allowed that a great national convenience can scarce ever be obtained without an inconvenience to some individuals. But for the prevention of a temporary mischief to some part, is a perpetual heavy load to be laid on the greatest part of the kingdom? Their estates have been eased, while all others have been burdened, for near a century; and after so long an indulgence is it fitting that this inequality should be continued, and the evil entailed from generation to generation? Some instances of this inequality are made more conspicuous by their contiguity. For where is the justice, or equity, that the city of London should pay the full four shillings, all parts of Westminster pay much less, and some parts of Westminster and Marybone pay not so much as six-pence in the pound? Among the many petitions, which the Court of Aldermen and Common-Council men have presented to
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the King and to both Houses of Parliament, it is astonishing that they have never applied for a remedy in this case, which more nearly concerns them than any petition they ever presented. What praises would be due to the Ministers and the Parliament, who disregarding the clamors of a few should have the courage to render equal justice to all? Some individuals might complain, but the generality would applaud the measure, and their names and memories be transmitted with honor to the latest posterity.

XII. Agriculture and population are great national objects, which particularly deserve the favor and encouragement of the Parliament. For we want people, otherwise our fleets would sooner be manned, our armies would more easily be raised and recruited, so many villages would not be deserted, and so many

many waste lands would not lie uncultivated. All obstacles and difficulties in the way to marriage should be removed, premiums should be given to those who marry, privileges and exemptions be granted to those who have such a number of children, and waste lands apportioned for their cultivation, and the sustenance of themselves and their families. A heavy tax should be laid upon all bachelors past such an age, that they may contribute one way or other to the good of the state. Estates should be divided into lesser farms, and not one great farmer be suffered to rent (as it sometimes is done) lands to the value of three thousand pounds a year, the greater parts whereof are laid down in pasture and sheep walks, which employ very few hands in comparison with arable or corn fields. It is easier without doubt for landlords to receive their rents in one large sum from a substantial farmer, than

to collect it in different sums from different quarters : but this method is very detrimental to the public, as it depopulates whole villages, and greatly enhances the price of the necessaries of life. At the lesser farms they were glad to sell their poultry and eggs and other commodities to their neighbours ; but the great farmers sell nothing of this kind, consume all in their own families, live as well or better than their landlords, at their clubs and meetings fix the market-prices, and after a plentiful harvest, when they cannot make those advantages, rather repine than rejoice at the blessings of providence.

XIII. Some attention should also be paid to the state and condition of servants. A good servant is a good treasure, and ought accordingly to be duly kept and valued. Servants used formerly to live many years in a family, and afterwards
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received legacies and annuities, as a reward for their good and faithful services. But now they delight in change, seldom stay long in a place, during that short stay behave very ill, if you find fault with them give you warning, and perhaps leave you, or force you to turn them out, at the very instant. What is the reason that Swiss and other foreign servants are taken into so many families, but because they are found more steady and faithful, performing more, and expecting less? Ask any friend, or any honest tradesman with whom you deal, to recommend to you a good servant, their answer is, they know of none such, they cannot pretend to recommend any. In almost every family you hear complaints of the badness and degeneracy of servants, of their want of truth and fidelity, of their sauciness and insolence, of their waste and consumption of their masters property, insomuch that many families

families are ruined, not more by any cause than by the number and negligence and frauds of their servants. If they had any principle, and were not blind to their own interest, they would pay regard to the favor and esteem of their masters and mistresses which may prove a permanent benefit for life, rather than unite in caballing and colluding with their fellow servants, who are here to day and gone to morrow. Several families, who have little else to disturb and trouble them, are yet often plagued and distressed by the perverseness and profligacy of their servants. Your own experience may convince you of the truth of all that is here said : And is there to be no redress for these grievances, which are daily growing worse and worse, like all other irregularities which are not restrained in time. If masters are guilty of ill usage to their servants, they have their remedy at law : but what power has a

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good master over a bad servant, but to turn him away and take another perhaps as bad or worse? Should not some law therefore be framed for the better regulation of servants, and for granting to masters a just authority over them, that the head may no longer be as the tail, nor the tail preposterously as the head? Suppose a servant to behave very ill, and to be saucy and impudent upon the occasion, which is often more than a supposition, should not the master or mistress be allowed to go with their complaint to the next Justice of peace; and if the complaint be found just and reasonable, should not the magistrate have the power directly to send the fellow for a soldier or a sailor, and to commit the woman to hard labor in Bridewell, so that if they will not serve other ways, they may some way be made serviceable to the public? I have heard it advanced in company, that a proper check and restraint

straint upon the licentiousness of servants would be a law obliging them to offer themselves to no service without a written character from their last place upon a five shillings stamp paid by themselves, and no master to receive them without such a certificate and attestation, the law inflicting due penalties in case of failure on either side. The little trouble attending it would amply be recompensed by the good effects of it. Servants would then be more careful of their behaviour, they would not be so forward to change from place to place, their duty and their interest would be more united, the peace and quiet of families be better preserved, and some addition made to the public revenue. Better heads may devise better laws.

XIV. So many servants lying out of place, with other disorderly persons of both sexes, fill all quarters with street

walkers and shoplifters, robbers and swindlers, highwaymen and housebreakers, incendiaries and murderers; inso-much that in an evening people can scarce walk in the streets, or travel on the roads, or keep open shop, or lie in their houses with safety and security. Such a number of capital offenders necessarily occasion many prosecutions, which being carried on at the expence of the prosecutors, they sometimes grudge the money after their former loss and injury, and suffer the prisoner to escape rather than be at the charge and trouble of appearing against him. Some societies therefore have been instituted for defraying these expences out of a joint stock raised by subscription for their mutual aid and benefit. But would it not be better, to ease those who have already sustained a loss, and perhaps cannot well afford it, and to lay the charge upon the county or city where the fact was committed? It is

is a common interest, and should be made a common expence, to detect rogues, and bring them to condign punishment.

XV. Some sins reign more at one time, some at another. Fornication, adultery, and a crime almost too horrid to name, never abounded so much in this country, as they have of late and do at present. They are either not punished at all, or punished so slightly as rather to give encouragement to them. Fornication is looked upon only as a petty offence if any; is so far from being attended with any disgrace, that it is made a matter of glory and triumph; and the gallant, who has seduced numbers, is not therefore the less but perhaps the more esteemed for it. Adultery is treated with much less disregard and more indulgence than it deserves, a divorce is perhaps fraudulently obtained, every thing is restored as if nothing amiss had been done, the woman is released

released from the man she hates, and marries the man she loves. The other crime is too shocking to claim any kind of favor, but either it escapes prosecution by the force of hush-money, or is seldom prosecuted so far as to the pillory. In God's own law given to his own peculiar people, the man who deflowered a virgin was obliged to marry her; the adulterer and adulteress were both to be stoned to death; and for the third unnatural sin, it was not only forbidden on pain of death, but God was also pleased to destroy a whole people, and to lay a country waste with the most horrible destruction, the visible effects whereof are remaining even to this day. How far the judicial laws of the Jews are obligatory, and to be received in other nations, is a question that I will leave to the determination of Divines; but surely they deserve some regard and attention on account of their author and origin, and especially when they

they also partake of a moral nature. The man who debauches a young woman, if he refuses to marry her, should at least be bound to give her a suitable maintenance for life. The adulterer and adultress, if not to be punished as capital offenders, should at least be branded with infamy, should be subjected to considerable losses and forfeitures, should really pay large damages to the party injured, and themselves be compelled to live, as a proper penance, in obscurity, poverty, and mortification. And without doubt or hesitation, death, and not the pillory, should be the portion of those who are convicted of the last abominable sin, for which God himself made the cities of Sodom and Gomorrha, as St. Peter says, *an ensample unto them that after should live ungodly*, or as St. Jude expresses it, *an example, suffering the vengeance of eternal fire.*

XVI. There is another judicial law of the Jews, which might be well worth adopting in this and other countries, the *lex talionis* as it is called, *an eye for an eye, and a tooth for a tooth*. It may be thought that our Saviour has repealed this law by saying, *You have heard that it hath been said An eye for an eye, and a tooth for a tooth; but I say unto you that ye resist not evil*. But as our Saviour had immediately before been giving directions concerning oaths in private conversation, so here he is treating of private injuries and private retaliations; and we may observe that he does not say in this as in some other cases, *You have heard that it was said by them of old times*, but only *You have heard that it hath been said*, as if this was a modern interpretation. Our Saviour in opposition to the false glosses of the scribes and to the common practice of the people, who took upon themselves to revenge their own quarrels, and

to retaliate the injuries they had received in the same measure and manner they had received them; in opposition, I say, to these notions and to this practice he charges his disciples, that they should not avenge their own cause, and return injury for injury, but should rather lay aside their animosities, and exercise mutual forbearance and forgiveness. He corrects only the private abuses of the law, he prohibits not the law itself, which was a public law, and designed for the public use and benefit of the state under the judgment and authority of the magistrate; and as such it may be fitly transferred to other states and kingdoms. *Nec lex est justior ulla.* Our laws are very deficient in this respect. Crimes and punishments, which should be made exactly equal, are without all just equality and proportion. Different crimes receive the same punishment, different degrees of the same crime are punished in the same manner; whereas

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not only different punishments should be appointed for different crimes, but also different degrees of punishment should be apportioned to the different degrees of the same crime, the penalties easier or heavier according to the nature of the guilt. A man is justly hanged for committing a murder, and tho' the circumstances may vary, yet the punishment is all the same; but if he commits the murder with any additional circumstances of cruelty, hanging is too good for him, he should be put to death in the very same manner that he killed the other. If a man is not content with robbing, but should besides barbarously cut and mangle the person whom he has robbed; he should not be punished as a robber only, but should be cut and mangled in the very same manner; as the Scripture says, *burning for burning, wound for wound, stripe for stripe; as he hath done, so shall it be done unto him.* Nothing, I conceive,

conceive, would be more effectual to put a stop to these frequent and still increasing barbarities and cruelties so contrary to the good nature and usual temper of Englishmen.

XVII. The liberty of the press is one of the most glorious of our liberties, and the palladium of all the rest; but the licentious abuse of this liberty has of late prevailed to such an enormous degree, that all parties and persons in their turns complain of it, and wish it to be restrained and confined within proper bounds. Where to draw the line is the great difficulty, but one line, I think, might easily be drawn, and that is, draw the line round the King, let the person and character of the King be held sacred and inviolable. Opposite parties may tease and tear and worry one another to pieces as long as they please, and possibly there may be some truth and argument on both sides.

sides. Private persons, if injured, have legal remedies against libels, and may obtain damages from the libelers. We are all hurt and feel for ourselves, but who manifests any zeal or spirit in vindication of the majesty and authority of the King? What indignities and insults are daily offered to the best of men as well as the best of princes? What scurrilous and scandalous invectives in pamphlets and periodical papers! What indecent and shocking representations in prints and drawings, and these publicly sold and eagerly bought, to the shame and disgrace of government, to the annoyance and offence of all good people among ourselves, and to the reproach and infamy of our country among all foreign nations! Whatever may be pretended, libels against the King are nothing less than treason, and ought to be punished accordingly.

XVIII. Ecclesiastical power in former reigns was grown to such an exorbitant highth, that it was necessary to lop the branches, and to cut it somewhat lower; but many have been of opinion that it was cut down rather too low. After the cause had ceased, the jealousy still subsisted; church authority was almost as much dreaded in the hands of protestants as of papists, and by degrees has been so far reduced that little more than the shadow remains. Censures, penances, excommunications have lost their force; the canons are become no more than *bruta fulmina*, and are no more regarded. If processes are commenced in the spiritual court, they are soon removed by appeals to the civil courts, which are forward enough to grasp at the double advantage of enlarging their own jurisdiction and retrenching the others. I have been informed, and I believe upon good authority, that a Bishop may call the prebendaries

daries of his church, may call the rectors of his diocese, to residence; but the question is, whether like Owen Glendower's spirits they will come at the call. He may exhort, he may admonish, but he has not power to compel. Vicars are sworn to residence, unless dispensed with by their Ordinary; but yet I have heard of some, who notwithstanding their oaths have refused to pay canonical obedience; and what stronger ties and restraints can be laid upon such men? A clergyman has fought no less than three duels, and perhaps he may be cited into the Bishop's court; but what farther steps are to be taken? what law is there for inflicting an exemplary and adequate punishment? It is, proper therefore that something should be done to revive and restore ecclesiastical discipline, or at least that the Bishops should not be blamed for not doing what it is not in their power to do. But the worst of it is, that all temporal
authority

authority is sinking as well as spiritual, and the state is in danger of being in some measure involved in the ruins of the church.

XIX. A good Justice of peace is one of the most useful, and most valuable members of society. No gentleman is a greater benefactor to his country, or more like a guardian angel to his neighbours all around him. To preserve the respect due to their order, the Justices should have received the benefits of a liberal education, should have acquired a competent knowledge of the laws, should possess a good estate of their own, and should besides have a handsome salary paid by the public, that they may the better attend to the duties of their station, without regarding the little fees and perquisites of office: and if any of them should happen to commit any error in practice, the courts in Westminster Hall should

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not be severe in their animadversions upon them, but should rather protect and favor them, as being their secondaries and coadjutors. Such men may be safely intrusted with farther discretionary powers, as to your wisdom may seem fitting, and may likewise be authorized to proceed in a more summary way for the readier dispatch of business, and for the speedier execution of justice and judgment. They should be impowered to suppress or regulate, as they shall see most proper, the schools of oratory before mentioned, as being nurseries of much idle discourse at best, but more commonly of faction and sedition. They should be likewise impowered to send and seize and burn all lewd immodest prints, such as are exhibited daily in the windows of print shops, attract multitudes together to look upon them, and tend greatly to corrupt the minds, and debauch the morals of the people. They should be likewise
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impowered to disperse, by the civil officers if they can, but if they cannot by calling in the military, all unruly mobs assembled together for the purposes of bull and bear baitings, or boxing matches especially on Sunday mornings, or drinking and revelings at unseasonable hours, or gaming and other unlawful diversions. They should be likewise impowered to prevent and put a stop to bonfires and illuminations, especially such as we have had of late for no cause or for unworthy causes ; for they are a great inconvenience to many, a benefit to none but tallow-chandlers and glaziers, draw mobs together, produce riots and tumults, occasion the breaking of windows, spread the danger and alarms of fire, and perhaps terminate in burning houses and prisons, if our lords the mob should again be so disposed. All occasions of bringing a concourse of people together should be carefully avoided, for which

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reason private executions are preferable to public ones. Public executions were designed for an example and to strike terror, but instead of being any example or striking any terror, they only make a holiday for the mob, no work is done, no good and much mischief ensues, they commit robberies even under the gallows, and return if possible more hardened and emboldened than they were before. Executions would have a more forcible effect, and strike more terror into offenders, if they were performed in private, with only the friends and relations of the criminal admitted. It is to be wished too that trials could be brought on sooner, and convicts be sooner executed. A remarkable instance there is at present of a young Baronet in Warwickshire supposed to be poisoned, and a person committed to prison upon suspicion. The fact was committed, I think, at the latter end of August or beginning of September,

ber, but the trial cannot come on till the Lent assises in the spring following. Speedy executions too, as in cases of murder, would have some effect in deterring offenders. The reason of the delay is to give time for repentance; but God alone knows their hearts, and if the repentance be sincere as the penitent thieves, it will avail as much in a day as in a fortnight. But the time allotted, I am afraid, is as often perverted to contrive the means for an escape, or possibly they may entertain hopes of being rescued by force and violence, as the condemned felons were lately released out of Newgate. Scarce any one was ever known to grow better, thousands have grown worse by lying in prison. The society there is such an hell upon earth, that there is scarce a possibility of escaping the contagion, but by the prisoners being kept separate, which is a regulation much to be desired, if the number of criminals

in this age did not so far exceed the number of rooms in the largest prisons.

XX. But what avail good laws without good morals? *Quid leges sine moribus Vanæ proficiunt?* We are arrived at such a pitch of luxury and prodigality, that all the powers of Europe seem to be conspiring against us, to pluck us and to humble us; but the greatest and heaviest dead weight upon the nation are our immorality and infidelity, our irreligion and impiety, which if not repented of and reformed in time, must soon sink us into perdition. But it is not my business to declaim against the vices of the age. I will leave that topic for those to whom it more properly belongs, the Clergy. I will only cry out as the Roman orator did upon the like occasion of Catiline's conspiracy, *O tempora! O mores! O the times! O the manners!* There cannot be a stronger proof of the degeneracy of the
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the times, than the brightest example of virtue that ever sat upon the throne being so little imitated and regarded. You, my Lords and Gentlemen, who live nearer the sun, and more within its warmth and influence, ought to produce better fruits than those who dwell more in the shade and at a greater distance. A public and national reformation is too arduous a work for any private hands. It must be begun, it must be carried on, it must be accomplished, if ever accomplished, by the joint authority of the whole legislature. Set therefore the example, beginning with yourselves. Let no lawgiver be a lawbreaker. Honor God, and he will honor you. Assert the dignity of the crown, and so you will best maintain your own rank and dignity. You must stand or fall together. If neither laws nor morals will avail singly, let their force be tried united. Laws indeed we have more than any nation and worse

worse executed ; but it is in your power to diminish their number and augment their force, by reducing laws of the same kind into one act, and by obliging the magistrates to look more strictly to their execution. Laws not executed are a dead letter, and in consequence of this neglect our state is almost reduced to a state of desperation. All our measures have in truth been too temporizing and timid, remiss where they should have been vigorous, irresolute where they should have been determined. Lenity has been employed, where severity would have been the greater mercy. Connivance has taken the place of examination, and trials have been waved when punishments were due. Our want of courage has emboldened our domestic traitors as well as our foreign enemies. If we had seen more spirited exertions, we should not have seen all order confounded, and all authority trampled under foot. It is now therefore the
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more necessary for you to make a full stand,
to be steady, to be resolute, to give way
to no factions, to suffer no innovations.
If associations and committees of corre-
spondence are to direct and govern us,
there is an end of all law and lawful au-
thority, King Lords and Commons be-
come mere shadows and empty names.
I would therefore apply to the Minister
those lines of Virgil,

Nate dea, potes hoc sub casu ducere
somnia?

Nec, quæ circumstent te deinde peri-
cula, cernis?

and to the whole legislature I would ad-
dress that beautiful passage of Horace,

O quisquis volet impias

Cædes, aut rabiem tollere civicam,

Si quæret pater urbium

Subscribi statuis; indomitam audeat

Refrænare licentiam,

Clarus post genitis.

XXI.

XXI. Before I conclude, suffer me to mention another particular. I lately read a paragraph in one of the news-papers, that our ministry were treating of peace with our enemies, and proposed as the main condition of the treaty, that we would declare our colonies free and independent, provided the French and Spaniards would make the same declaration with regard to their colonies. It would have been happy for this country, if we had never colonized in America; it has drained us of our people, it has drained us of our treasure; where we have received hundreds, we have expended thousands: and how to carry on the war with success, or how to conclude it with honor, are considerations on either side attended with difficulties. The condition here proposed, I am afraid, is not true. I wish it was true, for as far as I can comprehend, the ministry could not propose any condition more honorable to themselves,

selves, or more beneficial to their country.
 Could any action be greater and more
 glorious and more godlike (as I may say)
 than to restore all men to their native li-
 berty, and thereby establish a free and
 open commerce throughout all the parts
 of the world? Could any proof be given
 more expressive of the liberality of our
 sentiments, and of our benevolence and
 beneficence to the whole race of men?
 Could any course be taken more condu-
 cive to lessen the prejudices, and to con-
 ciliate the affections of all other nations?
 How much more extensive would be this
 benefit, and more worthy to be transmitted
 to posterity, than that which is so much
 celebrated in history, of the Romans
 restoring the different republics of Greece
 to their liberty? This philanthropy, this
 universal charity would do honor to the
 nation, would do honor to human nature
 itself, and blessings must ever rest upon

the heads of such friends and benefactors to all mankind.

My Lords and Gentlemen, These are only hints humbly submitted to your consideration. Other particulars might have been mentioned, but I fear that I have been too long and tedious. However I have exonerated my own mind, and paid my last duty to my country. I am an old man, and God be praised I want for nothing. I have nothing to ask. I am totally independent. I am of no party, but for truth, and virtue, and religion. I may perhaps be too visionary in my notions, and indeed though I may wish, yet I cannot expect that you should approve and adopt them all. Some, I hope, may be thought not altogether unworthy of your acceptance and improvement. If you reject them all, I will be bold to say, that you are wanting in your duty

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duty to your God, to your King, to your country, to yourselves, to your wives and children, to your families, and to all who shall be born hereafter.

F I N I S.
